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Paper No. 4

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MAILED

JAN 16 2001

**OFFICE OF DIRECTOR
GROUP**

In re Application of: :
Paul A. Firestone :
Application No. 09/635,624 :
Filed: August 10, 2000 :
For: SYSTEM AND METHOD FOR :
COLLECTING VEHICLE FEES :

**DECISION ON PETITION
TO MAKE SPECIAL**

This is a decision on the petition under 37 C.F.R. § 1.102, filed August 10, 2000, to make the above-identified application special under the accelerated examination procedure set forth in the Manual of Patent Examining Procedure (M.P.E.P.) § 708.02, Section IV: Applicant's Age, Section V: Environmental Quality, and Section VI: Energy. No fee is required for this petition.

A grantable petition to make special under 37 C.F.R. § 1.102 and in accordance with M.P.E.P. § 708.02, Section IV, must include a showing, as by a birth certificate or the applicant's affidavit or declaration, that the applicant is sixty five (65) years of age or more.

Petitioner included a declaration by applicant as a showing that applicant is sixty five (65) years of age or more.

The petition meets all the requirements set forth in M.P.E.P. § 708.02, Section IV: Applicant's Age. Accordingly, the petition is **granted**.

For the above stated reason, the petition has not been treated in accordance with the requirement set forth in M.P.E.P. §§ 708.02, Sections V and VI. However, it is noted that the statements contained in the declaration are not sufficient to make the application special under the criteria set forth in either of these sections of the M.P.E.P. Specifically, the statements do not adequately explain how the invention, as compared with prior art systems currently available, materially contributes a) to the restoration or maintenance of one of the life-sustaining elements air, water and soil, or b) to the more efficient utilization and conservation of energy resources.

The application is being forwarded to the examiner for expedited prosecution.

If the examiner can make this application special without prejudice to any possible interfering applications, and s/he should make a rigid search for such, s/he is authorized to do so for the next action. Should the application be rejected, the application will not be considered special for the subsequent action unless the applicant promptly makes a bona fide effort to place the application in condition for allowance, even if it is necessary to have an interview with the examiner to accomplish this purpose.

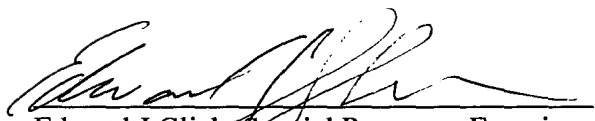
If the examiner finds any interfering application for the same subject matter, s/he should consider such application simultaneously with this application and should state in the official letter of such application that s/he is taking it out of its turn because of possible interference.

Should an appeal be taken in this application or should this application become involved in an interference, consideration of the appeal and the interference will be expedited by all Patent and Trademark Office officials concerned, contingent likewise upon diligent prosecution by the applicant.

After allowance, this application will be given priority for printing. See M.P.E.P. § 1309.

The petition is granted to the extent indicated.

Inquires regarding this decision should be directed to Ed Glick at (703) 308-4858.



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